

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GREGORY S. CODY,

Petitioner,

vs.

ROB JEFFREYS,

Respondent.

8:24CV45**MEMORANDUM AND ORDER**

This matter is before the Court for case management. On August 9, 2024, the Court denied Petitioner's motion seeking leave to proceed in forma pauperis and ordered him to pay the filing fee in the amount of \$5.00 within 30 days. See [Filing No. 7](#). On September 25, 2024, the Court ordered Petitioner to show cause why this case should not be dismissed for his failure to pay the \$5.00 filing fee. See [Filing No. 9](#). To date, Petitioner has not paid the filing fee or asked for an extension of time in which to do so. A search of the Nebraska Department of Correctional Services Incarceration Records website shows Petitioner is no longer incarcerated at the Omaha Correctional Center and is located at the Lincoln Community Correctional Center.¹

Petitioner has an obligation to keep the Court informed of his current address at all times. See NEGenR 1.3(e) and (g) (requiring pro se parties to adhere to local rules and inform the Court of address changes within 30 days). Out of an abundance of caution, the Court will send a copy of this Memorandum and Order to Petitioner at the

¹ The Court takes judicial notice of the inmate locator information of the Incarceration Record Search of the Nebraska Department of Correctional Services. See NDCS Incarceration Record Search, *available at*, https://dcs-inmatesearch.ne.gov/Corrections/COR_input.jsp, last visited December 12, 2024; see also *Stutzka v. McCarville*, 420 F.3d 757, 760 n.2 (8th Cir. 2005) (court may take judicial notice of judicial opinions and public records).

Lincoln Community Corrections Center and will grant Petitioner 30 days to update his address and to show cause why this case should not be dismissed for failure to pay the \$5.00 filing fee.

IT IS THEREFORE ORDERED that:

1. Petitioner will have 30 days to show cause why this case should not be dismissed for failure to pay the \$5.00 filing fee. In the absence of cause shown, this case will be dismissed without prejudice and without further notice.
2. Petitioner must update his address within 30 days. Failure to do so will result in dismissal of this action without further notice to Petitioner.
3. When the filing fee issue is resolved, the Court will enter an order resetting Respondent's deadline to respond to the petition as appropriate.
4. The Clerk of Court is directed to send a copy of this Memorandum and Order to Petitioner at the Lincoln Community Correctional Center, P.O. Box #22200, Lincoln, NE 68542.
5. The Clerk of Court is directed to set a pro se case management deadline in this case using the following text: **January 13, 2025**: check for response to show cause order.

Dated this 12th day of December, 2024.

BY THE COURT:



Joseph F. Bataillon
Senior United States District Judge